

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

NATIONAL ASSOCIATION OF SOCIAL
WORKERS, et al.,

Plaintiffs,

v.

CITY OF LEBANON, OHIO, et al.,

Defendants.

Case No. 1:22-cv-258

DECLARATION OF BETH DOE

I, Beth Doe, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the following is true and correct:

1. I am over the age of 18. I make these statements based on my personal knowledge.
2. My real name is not Beth Doe. I am filing this declaration pseudonymously to protect my privacy and personal safety, as well as that of my family. I am aware that abortion is a highly controversial issue. I am concerned that if my name becomes public, I will be targeted with hostility and harassment that would be harmful to my family and detrimental to my work. I live in Lebanon, Ohio, and I am particularly worried about experiencing harassment at my home, as this would be incredibly upsetting for my family and me. I am also using a pseudonym out of concern that I will be criminally prosecuted for the reasons I describe in this declaration.
3. I am a Licensed Social Worker (LSW) in Lebanon and a member of the National Association of Social Workers. I received my Bachelor of Social Work degree in the early 2000s, followed by my Master of Social Work degree more recently, both from programs

accredited by the Council on Social Work Education. I have been practicing in Ohio for roughly two decades, and I maintain an active license with the Ohio Counselor, Social Worker and Marriage and Family Therapist Board.

4. Because of time-consuming family obligations, I currently do not have a full-time practice. However, I am still occasionally contacted with requests for assistance from individuals who are referred to me by friends, family, acquaintances, and colleagues. I provide these individuals with information, education, resources, referrals, and assistance navigating various systems. I do all of this work remotely from my home in Lebanon, free of charge. I view this volunteer work as a fulfillment of my ethical duty as a social worker to provide my time and service as outlined in the NASW Code of Ethics.

5. In addition, I am currently making plans to start a consulting business through which I would provide the same types of services that I am currently providing for free. I have researched the logistics of forming an LLC and I have sought advice on this process from another business owner. I have identified a number of services that fill needs in the community, and I have taken concrete steps towards developing a business plan. I plan to operate my business and provide remote services to clients from my home in Lebanon so that I am able to work while providing for my family's unique needs.

6. No matter the focus of one's social work practice, pregnancy is an issue that can arise at any time. My own practice as a social worker has involved providing education and counseling related to pregnancy and reproductive health, including discussion of abortion. When presented with this situation, I help my clients understand their options and assist them in their independent decision-making process, including by talking them through their options and providing emotional support guided by the ethical standard of self-determination. If a client

wants to have an abortion but faces obstacles to receiving care—such as a lack of financial resources or transportation—I will help my client come up with a plan, and I will provide logistical support and referrals as needed.

7. I am aware of an ordinance enacted by the City of Lebanon that purports to prohibit abortion and efforts to aid or abet abortion. I am concerned that the ordinance could be read to encompass the services I provide. I worry that the ordinance encompasses the information and referrals related to abortion that I provide to clients, even in cases where my client is not located in Lebanon, because I am personally located in Lebanon when providing these services.

8. I do not know how certain legal concepts that are mentioned in the ordinance, like the First Amendment, undue burden, or third-party standing might apply to my services.

9. I am therefore afraid that I will be subject to prosecution under the ordinance. If prosecuted, in addition to facing criminal penalties, I risk losing my license to practice, and/or potential clients and job opportunities. The possibility of prosecution simply for helping my clients gives rise to significant anxiety for me.

10. The ordinance is also having an impact on my plans to open my own consulting business. Because pregnancy and family planning issues can arise at any time, I fully expect that I will encounter these issues in my consulting work. If I were forced to tell clients who are facing these issues that I cannot answer their questions or assist them because of the ordinance, I believe it would interfere with my client relationships and would decrease the value of my potential business. However, if I operate my business in violation of the ordinance, it will not be a sustainable business.

11. I remain committed to providing comprehensive assistance with matters of pregnancy and reproductive health. Assisting clients in exercising their self-determination is a core value of social work practice. I believe that it is my ethical obligation as a social worker to support my clients' ability and autonomy to make the decisions that are best for them and in living safe, healthy, and fulfilling lives. The ordinance therefore forces me to make a difficult choice between following my ethical obligations and avoiding the risk of prosecution.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 9, 2022

/s/ Beth Doe

Beth Doe